

HANSON BRIDGETT MARCUS VLAHOS & RUDY, LLP
KURT A. FRANKLIN - 172715
SARAH D. MOTT - 148597
425 Market Street, 26th Floor
San Francisco, CA 94105
Telephone: (415) 777-3200
Facsimile: (415) 541-9366
kfranklin@hansonbridgett.com
smott@hansonbridgett.com

Attorneys for Defendants
HARVEST REDWOOD RETIREMENT RESIDENCE,
L.L.C., doing business as Redwood Retirement Residence,
RETIREMENT RESIDENCE, L.L.C.; and HOLIDAY
RETIREMENT CORP.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GREATER NAPA FAIR HOUSING
CENTER, a California Not for Profit
Corporation, doing business as FAIR
HOUSING NAPA VALLEY, as an
individual entity only; RUBY DUNCAN,
an incompetent adult, by and through her
Guardian Ad Litem, MAE LOUISE
WHITAKER; and EVA NORTHERN, an
incompetent adult, by and through her
Guardian Ad Litem, NANCY
NORTHERN, each individually and on
behalf of individuals similarly situated;
NANCY NORTHERN, in her individual
capacity only; and MAE LOUISE
WHITAKER, in her individual capacity
only,

Plaintiffs,

v.

HARVEST REDWOOD RETIREMENT
RESIDENCE, L.L.C., doing business as
Redwood Retirement Residence;
REDWOOD RETIREMENT RESIDENCE
L.L.C.; and HOLIDAY RETIREMENT
CORP.,

Defendants.

No. C 07 3652 PJH

**DECLARATION OF DENISE HALL IN
SUPPORT OF DEFENDANTS'
OPPOSITION TO MOTION FOR
ISSUANCE OF PRELIMINARY
INJUNCTION**

Date: September 26, 2007
Time: 9:00 a.m.
Dept: Ctrm. 3, 17th Fl.
Judge: Hon. Phyllis J. Hamilton

1 I, Denise Hall, hereby declare that I have personal knowledge of the facts set forth herein
2 and, if called upon to testify, would truthfully and competently testify to the following:

3 1. I was a resident manager, with my husband David Hall, at the Redwood
4 Retirement Residence ("Redwood" or "Residence") from September 2006 through April 2007. I
5 presently am employed as co-manager at another Holiday facility. I work in this field because I
6 care about the elderly, many of whom are neglected by their families, and want to be of service.

7 2. We have spoken with Celestia Amberstone about her father Bill Nye on several
8 occasions, by phone and in person. It is possible that she spoke with co-resident manager Sandy
9 Ferguson. I did express concern that her father was not receiving adequate care from his personal
10 care givers or his family in the spring of 2007.

11 3. No resident at Redwood was ever denied a meal while I was a resident manager.

12 4. I recall speaking with Mae Louise Whitaker about her concerns about her mother
13 Ruby Duncan (a plaintiff in this matter) and the meal tray policy. I do not recall whether we had
14 a conversation about why other residents were being asked to leave; however, I have told people
15 who inquired that the residents we asked to leave were due to a need for a higher level of care.

16 5. I deny ever saying that Redwood was "'weeding out' the wheelchairs and walkers
17 because 'they gave Redwood a bad impression.'" I do not believe that statement is true, so I
18 would never have said it. The use of wheelchairs and walkers is common at Redwood and other
19 Holiday facilities I am familiar with. Their use in no way prevents residents from being active
20 and independent; to the contrary, it helps them.

21 6. I also deny ever saying that managers did not want Redwood to be an "old folks"
22 home or words to that effect. There were a number of elderly persons at Redwood when we were
23 resident managers, most of whom were living independently, with or without the assistance of
24 family or personal care givers. I admired and genuinely liked them and was glad to know them.

25 7. Finally, I deny ever telling Ms. Whitaker that she should start looking for other
26 housing for her mother Ruby Duncan or that Ms. Duncan would be asked to move out soon. I did
27 not and would not make such a statement. Ms. Duncan was able to live in Redwood, with the
28 assistance of her caregiver, during the entire time I was a resident manager. I admired and liked

1 Ms. Duncan very much and am saddened that her daughter would make these accusations.

2 8. No one from the Greater Napa Fair Housing Center ever contacted me or my
3 husband to discuss the eviction notices, the meal tray policy or anything else related to individual
4 residents. My understanding and belief is that one or more of their members may have attended
5 one or more of our public events, but I do not recall speaking with anyone who identified himself
6 or herself as being from that agency.

7 I declare under penalty of perjury under the laws of the State of California that the
8 foregoing is true and correct. Executed this 5th day of September, 2007 at Napa, California.

9 /s/ Denise Hall

10 Denise Hall

11 I, Kurt Franklin, hereby attest that I have on file all holograph signatures for any
12 signatures indicated by a "conformed" signature ("/s/") within this e-filed document.

13 /s/ Kurt Franklin

14 Kurt Franklin